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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/631,438 08/02/00 MACLEOD

D A-59709-3/JA

EXAMINER

MMC1/1206

LE.D

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ART UNIT

PAPER NUMBER

2834

DATE MAILED:

12/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
**09/631,438**

Applicant(s)  
**MacLeod et al.**

Examiner  
**Dang Dinh Le**

Group Art Unit  
**2834**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 6-8 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 6-8 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Aug 2, 2000 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☒ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Oath/Declaration***

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

- \* There are no signatures of second and fourth inventors.
- \* Application number 09/158641, filed 9/22/98 should have been identified as patent no. 6,124,776 instead of being abandoned.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "pairs of axially directed wires" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### ***Specification***

3. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.
4. The disclosure is objected to because of the following informalities:
  - a. Page 4, line 10, replace "FIGURE 4 shows" with -- FIGURES 4A and 4B show --.Appropriate correction is required.

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5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: -- Magnetizing Apparatus --.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Soeda et al.

Regarding claim 6, Soeda et al. show a magnetizer (Figure 12) for magnetizing a magnet with a null zone intermediate alternating poles (30b) comprising an insulating core supporting pairs of axially directed wires (22), each pair of wires adapted to carry current in the same axial direction, and a back iron (8) axially spaced from the core by a sufficient axial gap to allow the magnet to be magnetized to slip into the gap, the flux being shaped (by shorting yoke portions 21) to create alternating magnetic poles (30a and 30c) separated by a null zone (30b) around the magnet.

Regarding claim 7, it is noted Soeda et al. also show the gap being of sufficient radial extent that a portion of the gap remains open when the magnet is inserted so that the transition zone (30b) of the magnet is softened.

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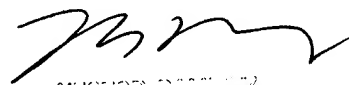
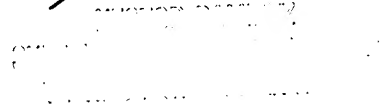
Regarding claim 8, Soeda et al. show a magnetizer for magnetizing a magnet with a null zone intermediate alternating poles comprising:

- \* means (8) for supporting the magnet in the magnetizer and
- \* conductive means (Figure 12) for creating a flux path (F, F1, and F2) through the magnet which establish the null zone (30b) in the magnet.

***Information on How to Contact USPTO***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang Dinh Le whose telephone number is (703) 305-0156.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956. The fax number for this group is (703) 305-3431 and 305-3432.

DDL

December 2, 2000

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